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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/659,400	09/11/2003	Song-Rae Cho	P-0530	3763
34610	7590	06/22/2005	EXAMINER	
FLESHNER & KIM, LLP P.O. BOX 221200 CHANTILLY, VA 20153			MEHRPOUR, NAGHMEH	
			ART UNIT	PAPER NUMBER
			2686	
DATE MAILED: 06/22/2005				

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/659,400

Applicant(s)

CHO, SONG-RAE

Examiner

Naghmeh Mehrpour

Art Unit

2686

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-23 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-23 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 9/11/03, 3/28/05.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: ____.

DETAILED ACTION

Priority

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Information Disclosure Statement

2. The information disclosure statement filed reference listed in the information Disclosure Submitted on 06/09/03 have been considered by the examiner (see attached PTO-1449

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1-23, are rejected under 35 U.S.C. 102(e) as being anticipated by Persson et al. (US patent Number 6,144,653).

Regarding claims 1, 8, Persson teaches a method for changing a parameter of a mobile telecommunication terminal, comprising:

forming a short message service (SMS) message including a parameter to be changed in a mobile telecommunication terminal and a password for a

Art Unit: 2686

certification with a destination mobile telecommunication terminal (col 23 lines 1-31, col 90 lines 10-23); and

transmitting the SMS message (col 22 lines 39-47).

Regarding claim 2, Persson inherently teaches a method of claim 1, further comprising the SMS message with a password for a certification with a destination mobile telecommunication terminal (col 49 lines 35-65, col 90 lines 10-23).

Regarding claims 3, 9, Persson inherently teaches a method of claim 2, wherein the password pre-set in each mobile telecommunication terminal (col 35 lines 40-65).

Regarding claim 4, Persson inherently teaches a method of claim 2, wherein the parameter and password are included as parameters of the SMS message (col 13 lines 26-43, col 90 lines 10-23).

Regarding claim 5, Persson inherently teaches a method of claim 2, wherein the parameter is changed at the mobile telecommunication terminal when the password of the SMS message is identical to a password stored in the mobile telecommunication terminal (col 50 lines 5-43, col 90 lines 10-24).

Regarding claim 6, Persson inherently teaches a method of claim 1, wherein the parameter to be changed controls a performance of the mobile telecommunication terminal (col 50 lines 44-64).

Regarding claim 7, Persson teaches a method of claim 1, further comprising:

Art Unit: 2686

receiving the SMS message at the mobile telecommunication terminal (col 16 lines 40-67);

storing the parameter to be changed in a memory of the mobile telecommunication terminal (col 13 lines 26-30); and

applying the parameter to the mobile telecommunication terminal (col 13 lines 30-34).

Regarding claim 8, Persson teaches a method for changing a performance controlling parameter of a mobile telecommunication terminal, comprising: receiving a short message service (SMS) message, including a password of a mobile telecommunication terminal and a performance controlling parameter of the mobile telecommunication terminal to be changed (col 50 lines 55-67, col 51 lines 1-65);

storing the performance controlling parameter in the mobile telecommunication terminal (col 13 lines 26-30); and

applying the performance controlling parameter to the mobile telecommunication terminal (col 50 lines 65-67, col 51 lines 1-67).

Regarding claim 10, Persson teaches a method of claim 8, wherein receiving the SMS message comprises:

forming the SMS message by inputting the performance controlling parameter to be changed to a performance controlling parameter field of the SMS message (col 13 lines 26-30. col 50 lines 1-67);

inputting the password corresponding to the mobile telecommunication terminal to a performance controlling password field of the SMS message (col 90 lines 1-23); and

Art Unit: 2686

transmitting the SMS message to the mobile telecommunication terminal
(col 90 lines 39-56).

Regarding claim 11, Persson teaches a method of claim 8, wherein storing the performance controlling parameter comprises: performing a certification process by using the password of the received SMS message (col 89 lines 50-67, col 90 lines 1-50); and

storing the performance controlling parameters to a memory of the mobile telecommunication terminal (col 13 lines 26-34).

Regarding claim 12, Persson teaches a method of claim 11, wherein the certification process comprises comparing the password with a stored password in the memory of the mobile telecommunication terminal (col 90 lines 10-23).

Regarding claim 13, Persson teaches a method of claim 11, wherein a determination of whether the password extracted from the short message is identical to a password already set in the mobile telecommunication terminal or not is made in the certification process (col 90 lines 10-67 col 91 lines 1-30).

Regarding claim 14, Persson teaches a method of claim 12, wherein the received SMS message is discarded by the mobile telecommunication terminal if the extracted password is not identical to the password already set in the mobile telecommunication terminal (col 90 lines 10-67, col 91 lines 1-30).

Regarding claim 15, Persson teaches a method of claim 11, wherein the memory is a nonvolatile memory in which performance controlling parameters of the

Art Unit: 2686

mobile telecommunication terminal are stored (col 41 lines 5-24, col 42 lines 5-42, col 50 lines 44-64, col 53 lines 20-65).

Regarding claim 16, Persson teaches a method for changing a performance controlling parameter of a mobile telecommunication terminal, comprising: receiving a short message service (SMS) message by the mobile telecommunication terminal, wherein a value for changing the performance controlling parameter is included as a special field among SMS message formats of the mobile telecommunication terminal (col 83 lines 50-67 col 84 lines 1-67, col 85 lines 25-67 col 86 lines 1-67); and

including the performance controlling parameter as a parameter of the mobile telecommunication terminal (col 75 lines 1-67 col 76 lines 1-67 col 77 lines 1-67).

Regarding claim 17, Persson teaches a method of claim 16, wherein the special field comprises:

a CHARi field configured to contain the performance controlling parameter value to be changed (col 72 lines 1-35); and

a MSG_ENCODING field to denote a kind of codes inputted to the CHARi field (col 72 30-67, col 73 lines 1-67, col 74 lines 1-15).

Regarding claim 18, Persson teaches a method of claim 17, wherein a sub-parameter of the CHARi field comprises:

a performance controlling password field where a password is inputted (col 74 lines 1-65, col 75 lines 1-25); and

a performance controlling parameter field where the performance

Art Unit: 2686

controlling parameter value to be changed is inputted (col 75 lines 25-67, col 76 lines 1-67) .

Regarding claim 19, Persson teaches a method of claim 17, wherein the CHARi field is inputted by an octet unit (col 75 lines 25-67, col 87 lines 25-40) .

Regarding claim 20, Persson teaches a method of claim 19, wherein a prescribed byte notifying a change of the performance controlling parameter is inputted in a first octet of the CHARi field and a change value (col 87 lines 25-40) for the performance controlling parameter is inputted to a second octet (col 76 lines 1-67, col 77 lines 1-49) .

Regarding claim 21, Persson teaches a method of claim 16, wherein including the performance controlling parameter comprises replacing the parameter of the mobile telecommunication terminal with the performance controlling parameter (col 66 lines 60-67 col 67 lines 1-60) .

Regarding claim 22, Persson teaches a short message service (SMS) message, comprising:

a CHARi field, configured to contain a performance controlling parameter value to be provided to a mobile communication terminal to modify an operation of the mobile telecommunication terminal (col 87 lines 30-67, col 88 lines 1-67); and

a MSG-ENCODING field, to indicate a kind of code used in the CHARi field (col 90 lines 12-56, col 92 lines 45-66) .

Art Unit: 2686

Regarding claim 23, Persson teaches a SMS message of claim 22, further comprising a performance controlling password field, configured to contain a password to authenticate a recipient of the SMS message (col 90 lines 12-50, col 83 lines 12-67 col84 lines 1-63).

Conclusion

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Pirkola et al. (US Patent 6,611,516 B1) disclose short message service support over packet-switched telephony network

Budka et al. (US Patent 6,577,871 B1) disclose technique for effectively managing processing loads in a communications arrangement

Mills (US Patent 5,915,225) disclose remotely retrieving SIM stored data over a connection-less communications link

6. **Any responses to this action should be mailed to:**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Naghmeh Mehrpour whose telephone number is 571-272-7913.

The examiner can normally be reached on 8:00- 6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Marsha Banks-Harold be reached (571) 272-7905.

The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 2686

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

NM

June 16, 2005

A handwritten signature in black ink, appearing to read 'Melody Mehrpour', with a large circular flourish at the end.

MELODY MEHROUR
PATENT EXAMINER